

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

EMMA GIACOMO, by and through her son  
and next friend, GEORGE ALFORD,

Plaintiff,

vs.

BEVERLY ENTERPRISES-ALABAMA,  
INC., et al.,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

NO. 3:08-CV-19-WKW

**SHOW CAUSE RESPONSE**

COMES NOW Defendant, Beverly Enterprises-Alabama, Inc., pursuant to the Court's  
Order dated April 24, 2008, and shows unto the Court as follows:

The parties have agreed to submit their dispute to binding arbitration. Thus, this action  
should be dismissed without prejudice.

Respectfully submitted this 5<sup>th</sup> day of May 2008.

/s W. Benjamin Broadwater

W. BENJAMIN BROADWATER (BRO150)

ANDREW C. CLAUSEN (CLA044)

Attorneys for Defendant Beverly Enterprises-  
Alabama, Inc. d/b/a Beverly Healthcare-Lanett,  
LLC

OF COUNSEL:

ALFORD, CLAUSEN & McDONALD, LLC

One St. Louis Centre, Suite 5000

Mobile, Alabama 36602

(251) 432-1600

(251) 432-1700 (fax)

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2008, the foregoing document was electronically filed with the Clerk of this Court using the CM/ECF system which will send notification of such filing to the following:

Nick Wooten, Esq.  
WOOTEN LAW FIRM, P.C.  
Post Office Box 290  
Lafayette, Alabama 36862

David J. Hodge, Esq.  
PITTMAN, DUTTON, KIRBY & HELLUMS, P.C.  
2001 Park Place North  
1100 Park Place Tower  
Birmingham, Alabama 35203

/s W. Benjamin Broadwater

COUNSEL